



Express Mail No. EL 803540430US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: J. LOMETILLO et al.

Application No.: 09/846,989

Group Art Unit: 1761

Filed: May 1, 2001

Examiner:

For: FROZEN DESSERT NOVELTY AND
METHOD FOR ITS PREPARATION

Attorney Docket No.: 88265-4031

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

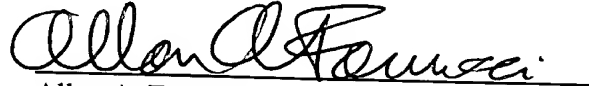
In response to the Notice to File Missing Parts of NonProvisional Application (hereinafter the "Notice") mailed by the U.S. Patent and Trademark Office on June 27, 2001 in connection with the above-captioned application, Applicants submit herewith the following documents:

- (1) Executed Declaration;
- (2) Copy of Notice;
- (4) Executed Power of Attorney by Assignee; and
- (3) Executed Assignment with
Assignment Recordation Cover Sheet; and
- (4) Submission of Formal Drawings

In accordance with the Notice, the surcharge for late filing of the declaration is estimated to be \$130.00. Please charge the required filing fees to WINSTON & STRAWN Deposit Account No. 501-814. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

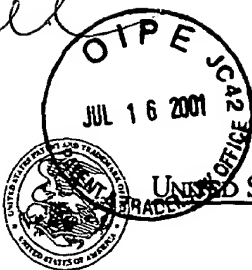
Date: 7/16/01


Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN
200 Park Avenue
New York, New York 10166-4193

Enclosures

(212) 294-6700



07-18-01

Seed
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UNITED STATES PATENT AND TRADEMARK OFFICE

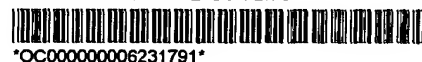
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/846,989	05/01/2001	Josephine E. Lometillo	88265-4031

28765
WINSTON & STRAWN
200 PARK AVENUE
NEW YORK, NY 10166-4193

CONFIRMATION NO. 3913

FORMALITIES LETTER



OC00000006231791

Date Mailed: 06/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

T. J. Smith
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

97/20/2001 ENCLVEM 00000970 501014 09246989

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SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

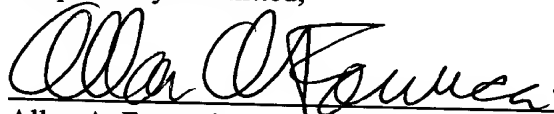
Applicants respectfully submit herewith two (2) sheets of formal drawings, corresponding to Figs. 1-6 and request entry of the enclosed drawings into the file of the above-identified application.

It is estimated that no fee is required for transmittal of the formal drawings. In the event a fee is required, please charge the required fee to Winston & Strawn Deposit Account No. 501-814. A copy of this sheet is enclosed.

Date:

7/16/01

Respectfully submitted,


Allan A. Fanucci (Reg. No. 30,256)

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